

# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSITAS EDUCATION, LLC,

Judgment Creditor,

-against-

NOVA GROUP, INC., as trustee, sponsor and  
fiduciary of THE CHARTER OAK TRUST :  
WELFARE BENEFIT PLAN,

Judgment Debtor.  
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Case Nos. 11 CV 1590-LTS-HBP and  
11-8726-LTS

**USDC SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:**  
**DATE FILED:** 8/26/2015

**ORDER TO SHOW CAUSE AND**  
**TEMPORARY RESTRAINING ORDER**

PLEASE TAKE NOTICE that, upon the declaration of Paula K. Colbath, Esq., dated August 25, 2013 (with exhibits), and the accompanying Memorandum of Law filed by Plaintiff/Judgment Creditor Universitas Education, LLC ("Universitas"), and good cause and sufficient cause appearing therefrom:

**IT IS HEREBY ORDERED** that Defendants show cause before the Hon. Laura Taylor Swain, at the United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on **October 8, 2015, at 3:30 p.m.**, as to why an Order should not be issued, pursuant to Fed. R. Civ. P. 69(a)(1) and N.Y. C.P.L.R. § 5240 extending the expiration date of restraining notices served by Universitas on several third-party garnishees, which currently expire on or around August 27, 2015, until Universitas' Judgments against Judgment Debtors' Nova Group, Inc., Daniel Carpenter, Grist Mill Trust Welfare Benefit Plan and any trustees and plan sponsors thereof insofar as they hold Grist Mill Trust assets, Grist Mill Capital, LLC, Grist Mill Holdings,

LLC, Carpenter Financial Group, Avon Capital, LLC, Phoenix Capital Management, LLC, and Hanover Trust Company are satisfied in full (collectively, the "Judgment Debtors");

**AND IT IS FURTHER:**

**ORDERED**, that pending the determination of Universitas' application for an extension of the expiration date of said restraining notices, the restraining notices previously served on the following third-party garnishees shall remain in effect:

1. Lincoln Financial Group and Lincoln National Life Insurance Company;
2. The Penn Mutual Life Insurance Company;
3. Curaleaf, LLC;
4. United Services Automobile Association;
5. Webster Bank;
6. People's United Bank;
7. AXA Equitable Life Insurance/MONY Life Insurance;
8. John Hancock Insurance;
9. Sun Life Financial and Sun Life Assurance Co. of Canada;
10. PHL Variable Insurance Co and PHL Variable Life Insurance Co.; and
11. American National Insurance Company of New York.

**ORDERED** that service of a copy of this Order, together with the underlying papers upon which it was granted, be made through the Electronic Case Filing ("ECF") system upon the Judgment Debtors' counsel who have appeared in this action;

**ORDERED** that any papers in opposition to Plaintiff's motion shall be served upon counsel for Universitas through the ECF system on or before **September 18, 2015**, and that any reply papers shall be served through the ECF system on or before **September 25, 2015**.

Dated: New York, New York  
August 26, 2015

  
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**ANALISA TORRES**  
United States District Judge